

Comments to California Performance Review Commission
Resources Recommendations Field Hearing
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Fresno, California
presented by
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California Farm Bureau Federation supports the recommendations of RES 18 that environmental protection and compliance be undertaken using a risk based multi-media approach. This approach should be taken similarly with permitting, monitoring, reporting, and fee requirements. This is particularly true of water quality regulation, which serves as a good example of the shortcomings of the traditional bureaucratic approach as applied to farming, and compared to the benefits of a more results-based approach.

The Central Valley of California includes some seven million acres of irrigated agriculture, spread throughout 50,000 – 80,000 farms. While much of the Central Valley drains to the Bay-Delta, the Tulare Lake basin of the Southern San Joaquin Valley does not. Water use patterns and practices vary greatly from the North to the South end of the Valley, while winter rainfall patterns mark sharp differences within the Valley. And of course, the topography of the Valley bottom is far different from that of the Sierra foothill areas.

An enormous diversity of farming practices exists within the Central Valley, which reflects a wide variety of approaches to nutrient and pest management and irrigation management. This in combination with geography and other factors leads to a wide variety in the degree of risk that actual farms pose to the aquatic environment. Many that use the latest techniques pose little or no risk at all.

Many farms still flood irrigate, while a growing number employ technological systems that produce little or no tailwater, thus further affecting the degree of potential risk that any given farm poses to downstream water quality. Soil types play an important role in retention or runoff of irrigation or stormwater. Another factor is the obligation that some irrigators have to release tailwater for further irrigation use immediately downstream.

Finally, the enormous variety of crops grown in the Valley, and the resulting variety of crop protection needs, add further to the need to consider which operations actually pose real risks, and which others are of little or no concern.

The large number of farms in the Valley requires a prioritized approach to protecting water quality. It is necessary that an accurate assessment of the risks attributable to different types of farming operations be done. Without this prioritization, the public and the farming community and even environmental activists have no

assurance that efforts are being expended to eliminate real problems, rather than being wasted on illusory or politicized issues.

But with all of these factors affecting degree of risk, the Central Valley Regional Board's Irrigated Lands Program has one set of requirements that apply to every farm in the Valley, regardless of size, location, rainfall patterns, soil types, water management and use patterns, cropping patterns, nutrient and pest management techniques, receiving water quality, or any other factor. These requirements read as though they are designed for operations that pose an immediate threat of significant environmental harm, despite the fact that most farms pose no such threat.

Similarly, the program administration has focused on bureaucratic tasks like enrollments, establishing a fee base, enforcement policies, and ineffective 'outreach activities.' Technical items like retaining a contractor to prepare an environmental impact report, forming a technical advisory committee, development of a core monitoring program, and approval of watershed coalition monitoring plans have lagged.

As a result of this literal one-size fits all approach and focus on bureaucratic rather than substantive aspects, this program faces significant skepticism from farmers throughout the Valley, who view it as little more than an effort by the Regional Board to develop a fee paying base for bureaucratic empire building.

A contrary example can be found in the Central Coast Regional Board's agricultural waiver policy. While not a perfect program, the Central Coast waiver rules actually encourage self assessment and focus on implementation of management practices that are tailored to address actual risks to water bodies with documented impairments. The more risk posed, the more aggressive the individual farmers approach needs to be. The administration of the program is also far more focused on water quality protection and restoration priorities set by the Regional Board in the context of their overall efforts within the Region.

CFBF would also note that there are important multi-media issues related to non-point source water quality protection and reduction of agricultural air quality impacts. This entire program would benefit tremendously from the risk-based multi-media approach discussed in the CPR Recommendation. This type of approach should apply to compliance requirements, monitoring and reporting requirements, regulatory fees, and enforcement policies.